

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/568,012 Confirmation No.: 7386
Applicant(s) : Peter NEUGEBAUER, et al.
Filed : February 10, 2006
TC/A.U. : 4162
Examiner : James A. Corno Jr.

Title : CARRIER BASED ON GRANULES PRODUCED FROM
PYROGENICALLY PREPARED SILICON DIOXIDES

Docket No. : 032301.440
Customer No. : 25461

AMENDMENT RESPONSIVE TO NOTICE OF NON-COMPLIANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliance mailed January 26, 2009, enclosed is a responsive amendment thereto with an updated Listing of Claims.

This response also attaches herewith an updated version of the Remarks filed January 7, 2009 in connection with the Office Action mailed September 8, 2008, to which the time for response was set to expire December 8, 2008. Since a Petition for a one-month Extension of Time with the Requisite fee were submitted with the previously filed response of January 7, 2009, no fees are presumably due.

Applicants submit that thirty-eight (38) claims were previously paid for and thus, no additional fees are required for the inclusion of claim 38 that was inadvertently omitted from the response filed January 7, 2009.

Amendments to the Specification begin on page 2.

Amendments to the Claims begin on page 3.

Remarks begin on page 10.